

REMARKS

This Amendment is responsive to the Office Action mailed on March 14, 2011. Claims 25 and 36 are amended. Claims 28 and 39 are cancelled. Claims 25-27, 29-38, and 40-48 are pending. Claims 26, 27, 29-35, 37, 38, and 40-48 are withdrawn.

Claims 25, 28, 36 and 39 are rejected under 35 U.S.C. §112 as being indefinite. With regard to claims 25 and 36, the Examiner indicates that the term “significant” renders the claims indefinite. With regard to claims 28 and 39, the Examiner indicates that an essential element is omitted from the claims which differentiates the apertures from the piece holders. Claims 25 and 26 are amended herein to overcome the indefiniteness rejections. The subject matter of claims 28 and 39 has been incorporated into claims 25 and 36, respectively, and modified to overcome the indefiniteness rejection. Withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested

Claims 25, 28, 36, and 39 are rejected under 35 U.S.C. §103(a) as being anticipated by De Volder (WO 92/05960) in view of cited Wilson (US 1,928,715).

Applicant respectfully traverses these rejections in view of the amended claims and the following comments.

Discussion of Amended Claims

Claim 25 is amended to include the subject matter of claim 28 and to specify additional structure of the piece holder (see, e.g., Applicant’s specification at page 6, lines 27-31 and Figure 5).

Claim 36 is amended to include the subject matter of claim 39 and to specify additional features of the piece holder similar to the subject matter added to claim 25

Claims 25 and 36 are also amended to clarify that the primary guide is mechanical.

Claims 28 and 39 are cancelled.

Discussion of Section 103(a) Rejection

Claims 25 and 36 are rejected under 35 U.S.C. §103(a) as being anticipated by De Volder (WO 92/05960) in view of cited Wilson.

De Volder is directed towards a printing tampon 1 with a printing surface 3. The tampon 1 is provided with a reduced stiffness by providing an appropriate weakening in the height of the tampon 1. The weakening is provided by recesses or notches 4 placed on ribs 5 between adjacent sides 2 (page 3, first full para.). In the Figure 9 embodiment of De Volder, a joint between the top part 7 of the tampon 1 and the tampon tip 8 is formed by a coil spring 10, in order to permit angular deformation of the tampon (Page 5, third full para.).

Wilson shows a hand held egg stamp with a single guide comprising a spring 28 and stem 18 with a pad 20 mounted on the end of the stem 18.

Neither De Volder nor Wilson (whether taken alone or in combination) discloses or suggests a piece holder as claimed by Applicant. In particular, neither reference discloses a piece holder with a mask which covers the products to be printed with apertures through which the product is printed on, as claimed by Applicant. Further, neither reference discloses a piece holder with at least one movable product guide for holding the individual products to be printed and adjusting a position and orientation of the products to be printed, wherein the products to be printed can be taken up by the at least one movable product guide and wherein the position and the orientation of the products to be printed relative to a printing unit can be brought into correspondence with the apertures by the at least one movable product guide for printing the image through the apertures at an appropriate position on the products, as claimed by Applicant.

De Volder does show in Figure 10 a container 11 as a piece holder. However, De Volder does not provide a mask with apertures which covers the products 12 through which apertures the printing occurs. Further, the piece holder 11 of De Volder does not have any movable product guides for adjusting a position of the product 12 relative to the apertures. Rather, the container 11 of De Volder is a one piece container without any movable parts.

Wilson, like De Volder, shows a piece holder 1 but not a mask covering the product with apertures through which the printing occurs. Further, like De Volder, Wilson does not disclose or suggest any movable product guides for adjusting a position of the product 12 relative to the apertures. Rather, the container 1 of Wilson is a one piece container without any movable parts.

With Applicant's claimed invention, the mask and the at least one movable product guide provides the advantage that the position of the product can be adjusted as required relative to the printing unit and the apertures for optimal printing and prevention of damage to the product. Such advantages are not provided by the prior art of record.

Applicants respectfully submit that the present invention would not have been obvious to one skilled in the art in view of De Volder or Wilson, taken alone or in combination with any of the other prior art of record.

Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the amended claims and the foregoing discussion. Applicant's silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

Application No. 10/594,353

Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicant's undersigned attorney.

Date: September 6, 2011
Attorney Docket No. : BVC-112

Respectfully submitted,

/douglas m. mcallister/
Douglas M. McAllister
Attorney for Applicant(s)
Registration No. 37,886
Lipsitz & McAllister, LLC
755 Main Street
Monroe, CT 06468
(203) 459-0200